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**RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE REQUESTED  
EXAMINING GROUP 1645**

**PATENT**

Customer No. 22,852

Attorney Docket No. 2356.0043-03



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Philippe SANSONETTI et al. ) Group Art Unit: 1645  
Application No.: 10/814,589 ) Examiner: NAVARRO, Albert Mark  
Filed: April 1, 2004 ) Confirmation No.: 5870  
For: TRANSFORMED SHIGELLA ) **Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REPLY AFTER FINAL**

In reply to the Final Office Action mailed November 15, 2005, the period for response having been extended to March 15, 2006, by a Petition for Extension of Time and fee payment filed herewith, and pursuant to 37 C.F.R. § 1.116, Applicants submit the following comments and the attached Terminal Disclaimer and Submission Under 37 C.F.R. § 3.73(b) to place this application in condition for allowance.

As an initial matter, applicants thank the examiner for withdrawing the rejection under 35 U.S.C. § 112, second paragraph. The Examiner maintained the rejection of claims 14-52 under the judicially created doctrine of obviousness-type double patenting, as allegedly unpatentable over claims 1-5 of Patent No. 5,762,941. In response, Applicants submit the attached Terminal Disclaimer, executed by authorized

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